

APPROVED

COMMUNITY SERVICES BOARD MEETING October 11, 2010 – 7:00 P.M.

CITY COMMISSION CHAMBERS – 1ST FLOOR
100 N. ANDREWS AVENUE

	<u>Present</u>	<u>Absent</u>	<u>Board Members</u>	
			<u>Cumulative</u>	
			<u>From 10/10</u>	
			(P)	(A)
Erika Baer	P		1	0
Avery Dial	P		1	0
Margaret Birch	P		1	0
P.J. Espinal	P		1	0
James Currier *	P		1	0
Nadia Locke	P		1	0
Donald Karney	P		1	0
Wendy Gonsher	P		1	0
Jeannine Richards	P		1	0
David Tilbury	P		1	0
Richard Whipple	P		1	0
Suzanne Higgins		A	0	1

* Participated via conference call.

Staff Present:

Angelia Basto, Administrative Support
Susan Batchelder, Assistant Manager of Housing & Community Development

Margaret A. Muhl, Recording Secretary

As of October 11, 2010, there are 12 appointed members to the Board, which means 7 members would constitute a quorum.

Call to Order

Chair Avery Dial called the meeting to order at approximately 7:03 p.m., and all stood for the Pledge of Allegiance led by Erika Baer.

Roll call was taken. A quorum was present this evening.

Ms. Birch entered the meeting at approximately 7:04 p.m.

Motion made by Ms. Espinal and seconded by Ms. Richards to allow James Currier to participate in tonight's meeting via telephone conference. Board agreed unanimously.

Ms. Batchelder announced that Mr. Priester had submitted a resignation letter regarding his membership on the Community Services Board.

Ms. Batchelder also advised that a replacement was appointed for Mr. Kimmey's position, but the replacement had not worked out. Mr. Kimmey requested to serve on another Board for the City.

Board and Staff Introductions

Staff members present this evening were introduced by Ms. Batchelder.

Approval of Minutes – May 10, 2010 and September 13, 2010

Motion made by Mr. Whipple and seconded by Mr. Karney to approve the minutes of the May 10, 2010 and September 13, 2010 meetings of the Community Services Board.

Without objection, the minutes of the May 10, 2010 and September 13, 2010 meetings of the Community Services Board were approved as presented.

Communication to the City Commission

Motion made by Ms. Baer and seconded by Mr. Whipple that the City Commission proceed to fill the vacancies on the Community Services Board as soon as possible. Roll call showed: YEAS: Ms. Baer, Ms. Birch, Mr. Dial, Ms. Espinal, Mr. Karney, Ms. Locke, Ms. Richards, Mr. Tilbury, and Mr. Whipple. NAYS: Ms. Gonsher.

The Board recommends:

The City Commission proceed to appoint replacements for the vacancies on the Community Services Board.

Ms. Batchelder stated that last year a communication was sent to the City Commission regarding "lighting on Las Olas." This was a battle due to budgetary issues, and therefore, she asked if the Board wanted to make this request at this time. She reminded Ms. Baer had to leave the dais to speak regarding this matter since it would be a conflict of interest.

Ms. Baer spoke about funding for lighting on Las Olas for the holiday season.

Ms. Gonsher stated the concept was supported, but concern was in regard to other events that would be occurring throughout the City, and how some had been canceled due to lack of available funding.

Ms. Birch stated that possibly the Board would be setting a precedent. It is a great idea, but she was not comfortable with this Board making such a recommendation.

Ms. Batchelder explained that last year, the Board discussed having the City financially assist Las Olas with the funding for the lighting. She stated this could be taken to the City Commission as a recommendation of this Board in connection with their duties regarding cultural and tourism activities.

Motion made by Mr. Tilbury and seconded by Ms. Espinal to request the City Commission to consider assisting Las Olas with funding their lighting display for the holidays.

Ms. Locke asked who is paying for lighting on Sistrunk Boulevard. Ms. Batchelder stated that she did not know.

Ms. Birch stated that she wants to withdraw her objections to this matter since she was reminded of the Board's role regarding cultural and tourism activities.

Ms. Espinal stated that the City should consider decorating the entire City for the holidays. Mr. Tilbury remarked that such displays brought families into the City.

Roll call showed: YEAS: Ms. Birch, Mr. Dial, Ms. Espinal, Ms. Gonsher, Ms. Richards, Mr. Karney, Mr. Whipple, and Mr. Tilbury. NAYS: Ms. Locke. Ms. Baer abstained from voting due to a conflict of interest.

Ms. Espinal stated that the City Commission should consider assisting with the lighting of Sistrunk Boulevard. She felt if funding is available, it should be distributed equally.

Motion made by Ms. Espinal that the City Commission consider decorating main thoroughfares throughout the City for the holidays.

Ms. Batchelder stated that she should check as to what decorations were put up at this time and the locations.

Mr. Whipple reminded everyone that the budget was done, and therefore, they might be wasting time since funding is probably not available. Ms. Espinal reminded the Board that sometimes funding was available for certain items, but not others. She felt consideration could be given if decorations and funding were available.

Ms. Richards suggested an amendment. She felt they should incorporate this item when considering next year's budget.

Motion was amended as follows:

Motion made by Ms. Espinal and seconded by Mr. Whipple that the City Commission consider decorating main thoroughfares throughout the City for the holidays, and this item to be considered in next year's budget planning process. Roll call showed: YEAS: Mr. Dial, Ms. Espinal, Ms. Gonsher, Ms. Locke, Ms. Richards, and Mr. Tilbury. NAYS: Ms. Birch, Mr. Karney, and Mr. Whipple. Ms. Baer abstained from voting due to a conflict of interest.

Election of Officers

Ms. Birch nominated Avery Dial for the position of Chair of the Community Services Board.

Mr. Dial declined the nomination, and stated it was important to have "fresh blood" serve as Chair.

Ms. Birch nominated P.J. Espinal for the position of Chair of the Community Services Board.

Mr. Karney nominated Donald Karney for the position of Chair of the Community Services Board. He proceeded to explain that he had been reviewing recordings of this Board's past meetings. He stated that if elected Chair, he would make sure there would be a degree of decorum at the meetings. He explained that he had been reviewing meeting procedures.

Motion made by Ms. Birch and seconded by Ms. Gonsher to close the nominations for Chair of the Community Services Board.

Ms. Espinal stated she has also reviewed meeting procedures, and feels she would be able to run a good meeting and would like the opportunity to serve as Chair.

The Board unanimously agreed to close the nominations.

Ms. Batchelder asked the Board if they wanted to vote by ballot or a show of hands.

Chair Avery Dial suggested the voting be conducted by ballot, and all Board Members agreed.

Ms. Gonsher asked the procedure regarding electing a Chair and Co-Chair.

Chair Avery Dial proceeded to explain that nominations were done separately for each position.

Ms. Locke entered the meeting at approximately 7:15 p.m.

Mr. Currier became part of the meeting at approximately 7:15 p.m. via telephone conference call.

Chair Avery Dial explained to Ms. Locke the voting procedure that was taking place for the position of Chair. Ms. Locke proceeded to vote and turn in her ballot.

Voting Results

Ms. Batchelder advised there was a tie between the two nominees. She asked the Board if they wanted to revote. Chair Avery Dial stated that if members are not going to change their vote, they should move on to Vice Chair and wait to elect a Chair.

Ms. Batchelder stated she did not know the procedure regarding Co-Chairs and would have to check with the City Clerk's Office. She would also check on the procedure regarding a tie vote.

Chair Avery Dial agreed to remain as Chair until the Board's next meeting when elections would take place.

Ms. Locke stated if they voted for the position of Vice Chair, one of the nominees for Chair might be eliminated, and therefore, they could move forward with the elections. Chair Avery Dial stated that both nominees want to be considered for the position of Chair.

Motion made by Ms. Locke and seconded by Mr. Whipple to table nominations for Vice Chair. Board unanimously agreed.

CDBG Ranking Criteria

Ms. Gonsher explained the material that she submitted to the Board regarding the CDBG ranking criteria. She listed the major points discussed by the Board previously which included need, program description, and evaluation.

Motion made by Mr. Whipple and seconded by Ms. Espinal to accept the changes presented by Ms. Gonsher regarding the CDBG ranking criteria.

Ms. Birch asked how a project would show it was being supported by the community. Ms. Gonsher stated the ranking consideration is a summary, and the last portion of the application refers to the attachments that include community support letters.

Board unanimously approved the motion.

Ms. Gonsher referred to Section Three of the criteria addressing evaluation. She advised that after today's conversation, she would revise that portion and present it to the Board at the next meeting.

Chair Avery Dial proceeded to read the existing language regarding evaluation on the application.

Mr. Whipple stated the Board needs to remember the issues and questions raised regarding the evaluation portion. He stated that issues were raised regarding point differences, and the existing language.

Ms. Gonsher stated that most of the agencies went through the motions, and she did not feel their goals were well thought out. More explanation should be provided by the agencies.

Ms. Baer stated they are to evaluate the overall outcome of the agency's program. Ms. Espinal stated that better information needs to be provided regarding timelines.

Chair Avery Dial stated that the evaluation needs to relate not only to objective goals listed in Section Two, but refer back to the overall need mentioned in Section One.

Ms. Espinal asked if HUD provides requirements to the agencies regarding reports that need to be submitted to the City. Ms. Batchelder explained that a time tracking form is given to the agency, and other forms are also required that match their progress. She further explained that the agencies were given a 12-month break down to fill out and submit to the City. She stated that many organizations did not

realize the documentation required from them. She added that there were books explaining what was required from the organizations.

Ms. Baer asked if the current evaluation section of the application is adequate. Ms. Batchelder stated her department was currently in the process of doing their participation agreements for the year, and possibly there could be some minor changes. She would advise the Board if that was the case. She stated the need is identified, but the agencies need to explain how they are going to address the need, which is how the Board ranks them.

Ms. Baer asked if the agencies receive the ranking sheets. Ms. Batchelder stated such information is available to them. Ms. Baer stated that clarification should possibly be provided in the ranking consideration versus the application.

Ms. Gonsler suggested that the evaluation portion be broken down into segments providing a global response, along with a more specific response regarding goals. She added that she needs the global response to make a better decision.

Mr. Tilbury stated it appears they are asking too much of these organizations. He feels that a lot of pressure is placed on the presentations, and that they are demanding too much expertise.

Ms. Espinal stated some examples of explanations that could be provided by the agencies as to their accomplishments.

Ms. Gonsler stated she felt they did not have a clear view of how these funds should be used. Priorities need to be set. Possibly, they should look at more long-term goals for these organizations.

Mr. Whipple explained that monitoring was done in a routine manner. He reminded everyone that organizations could be asked any questions the night of their presentations. He felt they should not try and be too perfect because someone would always come along with a new idea. He feels the present procedure was done very well.

Ms. Espinal reminded the Board to decide what their goal was regarding the distribution of funds to the requesting organizations. She felt the Board's goal is to provide "seed money" to organizations to use on projects that would become self-propagating in the future.

Mr. Tilbury stated he looked at the requests on a case-by-case basis.

Ms. Baer asked if further clarification could be provided by the City Commission. Ms. Batchelder stated the Commission had made their clarification in approving the annual action plan which contains the goals. She stated the Board only has 15% of the CDBG grant to work with, and they need to decide how they want those funds spent. She stated the larger global picture is that whatever activity was being conducted by the non-profits, it had to fit into the City's Annual Action Plan and the Five-Year Consolidated Plan. She would provide the Board with a copy of the Annual Action Plan for their review. She reminded the Board that CDBG funds could not be

used for income payments. She stated it was important for the organizations to realize their limitations in requesting the funding. She added that such funding could not be used to purchase personal equipment. She explained there were various grants available that assist with the payment of rents.

Ms. Batchelder stated the organizations, in their presentations, are to address something that is part of the Annual Action Plan. She reminded the Board that planning meetings were held so organizations would be able to learn what was being required. She added that during the last couple of years, the main thrust of the Annual Action Plan addressed housing. She stated they were presently trying to gear more towards employment. She stated that with the present state of the economy, one had to step back and re-evaluate what is actually needed.

Ms. Espinal reiterated that the present application is the best it has ever been. She added that possibly this Board needed to re-evaluate what they are focusing on. Ms. Baer agreed.

Chair Avery Dial asked if the Board agreed that the evaluation portion is acceptable, and changes made should be done after the Annual Action Plan is further reviewed. He further stated that the evaluation portion was discussed sufficiently, and the next category to be addressed should be done at the Board's next meeting. The Board agreed.

Motion made by Ms. Espinal and seconded by Ms. Birch to table further discussions regarding the application until the Annual Action Plan was reviewed. Board unanimously agreed.

Ms. Gonsher asked if agency information and financial information were to be discussed at a later date. Ms. Batchelder stated that such information would be provided at the Board's next meeting.

Ms. Gonsher stated that previously she dealt a lot with grants, and could possibly review some of the financial information. Ms. Batchelder explained the area of finances being reviewed by this Board. Ms. Gonsher stated she felt there were two issues to be addressed. One was whether the agency had financial stability to maintain a program. The other was how funds were to be spent. She would like someone to review the financial stability information and report back to the Board. She added that she was not comfortable with how agencies were reporting the spending of the funds received.

Ms. Batchelder explained what documentation was required if monies were to be used for the payment of salaries. She advised that staff had recently been informed that direct/indirect cost analysis must be provided, and smaller organizations did not have such information available.

Mr. Whipple felt the Board is stepping over their boundary regarding the evaluation of the applications. He felt their evaluations should be based on information supplied with the financial statements. He felt it is staff's responsibility to follow up the organization's goals. He felt the Board is attempting to micro-manage at this point.

Ms. Gonsher stated she is thinking in terms of the approval process. She wants to see a tie in of the funds requested, and how they are to be spent.

Ms. Batchelder stated some of the limitations involved in the distribution of the funding. She reiterated what information the Board should be considering in regard to ranking the requests.

Ms. Richards reiterated that information needs to be provided regarding how the agencies were meeting their obligations.

Ms. Espinal questioned how knowing information regarding the expenditure of the funds would help this Board make their determinations.

Ms. Baer suggested that further discussions be held at the next Board meeting. She felt they are getting off track at this point in time.

Good of the Order

Mr. Karney asked if staff could go back to the Board's April meeting and enter the members present for each month from April and thereafter into the "Volunteer Challenge." The Board supported Mr. Whipple's suggestion.

Ms. Batchelder stated that staff would enter such information.

Mr. Karney stated the U&HC project is being sponsored by the City, and therefore, he asked if any of the Board Members wanted to work on the project.

Mr. Karney also stated that a suggestion was made by a Commissioner at the last City Commission meeting to take the cultural and tourism duties from this Board, and place those duties onto the Economic Development Board. The Commissioner felt this Board was not pursuing such activities hard enough. He felt the City Commission is not aware of what this Board is doing, and he will get such information forwarded to them.

Ms. Batchelder clarified that a paper ballot was used for tonight's election.

Mr. Whipple stated that from July 7th through the 9th, the Florida Neighborhoods Conference will be held at Pier 66. He advised that he is coordinating the conference, and will provide more information to the Board in the future.

Chair Avery Dial stated that the Board's communications from this meeting address the cultural and tourism activity sponsored by this Board.

Ms. Espinal reminded everyone they could pass on their opinions to the Commissioner who appointed them to this Board.

Ms. Batchelder stated that it was her understanding that the Board Members could communicate with the Commissioners as a citizen, but not as a member of this Board.

Mr. Whipple mentioned a City's Calendar of Events that was to be created.

Chair Avery Dial stated that there is an Arts Calendar, but he did not know if the City listed their specific events on it.

Ms. Batchelder advised that ArtServe is making a presentation at the Board's next meeting. Therefore, she would advise Karen Reese of Mr. Whipple's question so that it could be addressed at that time.

Next Scheduled Meeting

Motion made by Ms. Gonsher and seconded by Ms. Espinal that this Board adjourn. Board unanimously approved.

Ms. Batchelder stated that a presentation would be given at the Board's next meeting by Mr. Bosworth of ArtServe.

There being no other business to come before the Board, the meeting was adjourned at approximately 8:31 p.m.

Respectfully submitted,

Margaret A. Muhl,
Recording Secretary

→ Community Services Board

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS	
LAST NAME—FIRST NAME—MIDDLE NAME <u>Baer Erika</u>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <u>Has Oas Association</u>
MAILING ADDRESS <u>1340 Sw 2nd Ct.</u>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY <u>Fort Lauderdale</u> COUNTY <u>Broward</u>	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED <u>10/11/2010</u>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Enika Bae, hereby disclose that on October 11, 20 10:

(a) A measure came or will come before my agency which (check one)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☒ inured to the special gain or loss of Las Olas Association, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Member of Las Olas Association

10/11/10
Date Filed

[Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.